



New Jersey Department of Children and Families Policy Manual

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SUBJECT: Programs and Interventions for Student Abuse of Alcohol, Tobacco or Other Drugs in School or at School-Related Activities

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A. OBJECTIVE

To provide students in Department of Children and Families (DCF) and Department of Human Services (DHS) State facility education programs with a comprehensive program of prevention, intervention, referral for evaluation, referral for treatment and continuity of care for alcohol, tobacco and other drug abuse in accordance with N.J.S.A. 18A:40 [Attachment A-7](#) and 9 through 14 and N.J.A.C. 6A:16-3 and 4.

B. STANDARDS

1. In accordance with N.J.S.A. 26:3D-17, the smoking of any substance and the use of tobacco products by students shall be prohibited anywhere in the school building or on the school grounds of a DCF or DHS State facility education program, as well as in all vehicles used to transport students.
2. As appropriate for the student population, each DCF and DHS education program shall provide instruction to students about alcohol, tobacco and other drugs as one measure to prevent, reduce and eliminate student substance abuse.
3. Except for medication administered under a physician's written order, a student shall not use or be under the influence of alcohol or any other drugs while on school property or the school bus or during any school activity.

4. Pursuant to this policy, DCF and DHS education programs shall implement procedures for the assessment, intervention, referral for evaluation and referral for treatment of students whose use of alcohol or other drugs has affected their school performance or who are suspected of being under the influence of the following substances in school, on the school bus or at school functions:
 - Alcoholic beverages;
 - Any controlled dangerous substance, including anabolic steroids, as defined in N.J.S.A. 24:21-2 and 2C:35-2;
 - Any chemical or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes, as defined in N.J.S.A. 2C:35-10.4; and
 - Over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction or dulling of the brain or nervous system.
5. Educational staff shall receive in-service training in alcohol, tobacco and other drug abuse prevention and intervention which shall be updated annually to ensure educational staff members possess the most current information available on the subject of substance abuse and on the Office of Education's alcohol, tobacco and other drug abuse programs, policies and procedures.
6. All requirements for the confidentiality and disclosure of information relating to a student's use of alcohol and other drugs, participation in school-based drug and alcohol counseling programs and alcohol/drug abuse patient records shall be observed according to applicable Federal and State laws and regulations and this policy.

C. GENERAL PROCEDURES

1. If an incident occurs involving matters in this policy,
 - a. An Unusual Incident Report shall be completed and filed in accordance with DCF Office of Education (OOE) Policy #29, Reporting of Unusual Incidents, or the DCF or DHS residential facility's policy, as appropriate; and
 - b. The ES or designee shall complete the Administrative Action Form (Attachment 1) as the incident unfolds and maintain the completed, confidential form in a separate binder designated for those reports.
2. Any educational staff person or other professional to whom it appears that a student may currently be under the influence of alcoholic beverages, controlled dangerous substances, or any other chemical or chemical compound, as

identified in B.4., on school property, at a school function or on the school bus shall report that information as soon as possible to the Education Supervisor (ES) or designee and the school's nurse, when feasible.

- a. At a school activity where the ES and school's nurse are not in attendance, the staff person responsible for the school function shall be immediately notified.
 - b. The ES or designee shall require the staff person who is reporting the suspected student substance abuse to complete a Substance Abuse Report Form (Attachment 2).
3. **If, at any time, a student suspected of being under the influence of alcohol or other drugs exhibits behaviors/symptoms which indicate an emergent crisis or life threatening situation, law enforcement authorities and/or the emergency squad, as appropriate, shall be immediately notified.**
4. When the school has to take a student, who is suspected of being under the influence of alcohol or other drugs, to a medical facility or emergency room for an evaluation and the student is not exhibiting behaviors/symptoms which indicate an emergent crisis or life-threatening situation, the student shall be transported in a school bus with an escort.
5. Any school staff member who in good faith reports a student to the ES or designee in compliance with the provisions of this policy and N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40 [Attachment A-13](#) and 14.
6. Since N.J.S.A. 18A:40-12 mandates the immediate medical examination of any student thought to be under the influence of alcohol or a controlled dangerous substance, parental consent is not required to conduct the medical examination if the parent or guardian is not present at the medical facility or emergency room.
7. When a student is suspected of being under the influence of alcohol or other drugs, the ES or designee shall notify the student's probation/parole officer, as appropriate.
 - a. The ES or designee may, but need not, notify law enforcement authorities when a student is suspected of being under the influence of alcohol or other drugs.
 - b. In accordance with N.J.A.C. 6A:16-4.3 (a) 3 i, the ES shall disclose to law enforcement the name of a student who is reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or

who is reasonably believed to be involved or implicated in the distribution of controlled dangerous substances.

8. Through the intervention and referral services process, pursuant to N.J.A.C. 6A:16-8 and OOE Policy #42, the school may provide additional intervention and referral services for a student who instructional staff suspect is involved with substances, whether or not the student is under the influence of them in school, and provide assistance to parents who believe their child may be involved with alcohol or other drug use.
9. The assessment services for students affected by alcohol or other drug use may include, as warranted, an evaluation by the child study team to determine a student's eligibility for special education and related services in accordance with OOE Policy #22 and the Supervisors of Educational Programs and Child Study Team Case Managers Letters and Forms Manual.
10. Sanctions for the refusal or failure of a student to comply with the provisions of this policy and N.J.A.C. 6A:16-4.3, including consequences for not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors, shall be addressed in accordance with OOE Policy #33 and shall be graded according to the severity of the offense, the nature of the problem and the student's needs.
11. The refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40 [Attachment A-12](#) and N.J.A.C. 6A:16-3 and 4 as stipulated in this policy may be treated as a violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and the child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. (Attachment 3).
12. This policy shall be made available to students, parents and staff, as follows:
 - a. As applicable upon enrollment, the student and parent(s) shall be informed about the key elements of this policy, including the expectations for parental involvement and student behavior, and they shall be apprised that a copy of this policy may be requested from the school.
 - b. Current and new staff shall be informed that a copy of this policy is available upon request from the school.

D. PROCEDURES: AFFILIATION WITH MEDICAL FACILITY (Day Students)

In the event the parent/guardian of a day student who is suspected of being under the influence of alcohol or other drugs does not arrange for the immediate medical examination of the student by a licensed physician, the second step is for the student to be transported to the medical facility selected by the school. The

parent/guardian shall be strongly encouraged to accompany the child to the medical facility or to meet the child there.

1. At each education program providing educational services to day students, the ES, in collaboration with the Regional Administrator, shall identify and affiliate with a medical facility within the vicinity of the school which would be willing to conduct, as needed, student medical examinations for the purposes of providing appropriate health care and for determining whether a student is under the influence of alcohol or other drugs, other than anabolic steroids.
2. The DCF education program and the medical facility shall discuss and reach an understanding regarding the pertinent issues identified in "Points of Discussion with a Medical Facility" (Attachment 4).
3. When required by the medical facility, the DCF education program and the medical facility shall enter into a written agreement which shall be approved by the Director, OOE, prior to being signed by either party.
4. The ES shall obtain the Federal ID Number of the medical facility and provide this information to the Fiscal Unit at the OOE.

E. PROCEDURES: PAYMENT FOR MEDICAL FACILITY SERVICES (Day Students)

1. When the parent/guardian accompanies the student to the school's medical facility or the emergency room, the parent's insurance, as applicable, shall pay for the mandated medical examination.
 - a. When an adult student is taken to the school's medical facility or to the emergency room, his/her insurance, as applicable, shall pay for the mandated medical examination.
 - b. If the parent or adult student provides documentation to the school which demonstrates they do not have insurance or that their insurance does not fully cover the cost of the examination, including a deductible, the DCF OOE shall be responsible for the unpaid balance of the bill.
2. In the absence of a parent/guardian at the school's medical facility or the emergency room, payment for the student's mandated medical examination shall be processed through the OOE as follows:
 - a. The ES or designee shall contact the Fiscal Unit at the OOE to obtain an emergency number which shall be written in the appropriate section of the State of New Jersey Payment Voucher.

- b. The required sections of the Payment Voucher shall be completed in accordance with OOE fiscal procedures.
- c. The Payment Voucher shall be taken to the medical facility.
- d. The medical facility shall sign and complete Section F-Payee Declarations of the Payment Voucher and attach a bill for the provided services.
- e. The ES or designee shall sign the "Certification by Receiving Agency" section (lower left area) of the Payment Voucher to attest that the examination was rendered.
- f. The Payment Voucher and the bill shall be submitted to the Fiscal Unit at the OOE.

F. PROCEDURES: DAY STUDENTS SUSPECTED TO BE UNDER THE INFLUENCE OF ALCOHOL AND OTHER DRUGS (Other Than Anabolic Steroids)

- 1. Any educational staff person or other professional who suspects a day student is under the influence of alcohol, drugs other than anabolic steroids, or chemicals as identified in B.4. above shall immediately report the matter to the ES or his/her designee and the school's nurse.
- 2. The ES or designee shall require the staff person who is reporting the suspected student substance abuse to complete a Substance Abuse Report Form (Attachment 2).
- 3. The ES or designee shall provide for the appropriate supervision of the student while waiting for the student to be transported to the location of the medical examination.
- 4. The ES or designee shall immediately notify the parent or guardian and shall arrange for the parent to obtain an immediate medical examination of the student for the purposes of providing appropriate health care for the student and determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids.
 - a. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy that is selected by the parent/adult student.
 - 1) The ES or designee shall give the OOE's "Medical Examination Report" form (Attachment 5) to the parent or directly to the physician's office, depending on the circumstances.

- a) The Medical Examination Report establishes the minimum requirements for the medical examination and functions as a report form for the physician conducting the examination.
 - b) The Medical Examination Report shall be completed and signed by the examining physician and shall be returned to the ES or designee at the school by the parent, the designated school staff person, or the doctor's office.
 - 2) When the medical examination is conducted by a physician selected by the parent/adult student, the examination shall be at the expense of the parent/adult student.
- b. If the student is a minor, the parent shall transport and accompany the student to the physician's office.
- c. For an adult student, the parent may transport and accompany the student to the physician's office.
 - 1) If the parent does not accompany the adult student to the physician's office, a bus driver and another member(s) of the school staff, designated by the ES or designee to be the escort, shall transport and accompany the adult student to the doctor's office;
 - 2) The designated school staff member shall appropriately supervise the student while he/she is waiting for and receiving the examination; and
 - 3) The bus driver and school staff member shall return the student to his/her home or the pre-designated home of a relative or family friend, after assuring that an adult, who is capable of assuming responsibility for the care of the student, is at home.
 - 4) If there is no responsible adult at the identified home(s), the student shall be returned to the school and be appropriately supervised until a responsible adult can be reached.
- d. When the medical examination is performed by a physician selected by the parent/adult student and the parent transports and accompanies the student to the physician's office, the ES or designee shall request verification from the parent that a medical examination was performed within 24 hours of the referral of the student for suspected drug or alcohol use.
 - 1) If the physician completes and signs the OOE's Medical Examination Report within the 24 hour period, that Report can serve as the required verification.
 - 2) If not, the parent will need to provide the verification which includes, at a minimum, the printed name, signature, address and phone number of the examining physician and a statement indicating that the mandatory written report is pending and the date by which the report will be provided.
- 5. If the physician chosen by the parent/adult student is not immediately available or if the parent/adult student does not select a physician, the medical

examination shall be conducted by a physician from the medical facility with which the school has a pre-established relationship (Section D).

- a. In addition to the school bus driver, the student shall be accompanied to the designated medical facility by a member(s) of the school staff, specified by the ES or designee, and by the student's parent, if available.
 - b. The designated school staff person shall give the medical facility the OOE's "Medical Examination Report" form (Attachment 5).
 - 1) The Medical Examination report establishes the minimum requirements for the medical examination and functions as a report form for the physician conducting the examination.
 - 2) The Medical Examination Report shall be completed and signed by the examining physician and shall be returned to the ES or designee at the school by the parent, the staff person or the facility, as appropriate.
 - c. The student shall be appropriately supervised by the school staff person while waiting for and receiving the medical examination, until the arrival of the student's parent. When the parent is present at the medical facility, the school staff person shall relinquish responsibility for the student to the parent, documenting such an occurrence.
 - d. If the student's parent does not accompany the student to the designated medical facility, the school bus driver and the specified staff person shall transport the student, upon completion of the medical examination, to his/her home or the pre-designated home of a relative or family friend, after assuring that an adult, who is capable of assuming responsibility for the care of the student, is at home. If there is no responsible adult at the indicated home(s), the student shall be returned to the school and appropriately supervised until a responsible adult can be reached.
6. If a physician at the medical facility selected by the school is not available, the student shall be accompanied by a member(s) of the school staff (in addition to the school bus driver), designated by the ES or designee, and the student's parent, if available, and shall be transported to the emergency room of the nearest hospital for the medical examination.
- a. The designated school staff person shall give the OOE's "Medical Examination Report" form (Attachment 5) to the appropriate person at the hospital emergency room.
 - 1) The Medical Examination report establishes the minimum requirements for the medical examination and functions as a report form for the physician conducting the examination.
 - 2) The Medical Examination Report shall be completed and signed by the examining physician and shall be returned to the ES or designee at the school by the parent, the staff person or the hospital, as appropriate.

- b. The student shall be appropriately supervised by the school staff person while waiting for and receiving the examination, until the arrival of the student's parent. When the parent is present at the emergency room, the school staff person shall relinquish responsibility for the student to the parent, documenting such an occurrence.
 - c. If the student's parent is not present at the emergency room, the school bus driver and the specified staff person shall transport the student, upon completion of the medical examination, to his/her home or the pre-designated home of a relative or family friend, after assuring that an adult, who is capable of assuming responsibility for the care of the student, is at home. If there is no responsible adult at the indicated home(s), the student shall be returned to the school and appropriately supervised until a responsible adult can be reached.
- 7. A written report of the medical examination shall be furnished to the parent or guardian of the student and the ES by the examining physician within 24 hours of the referral of the student for suspected alcohol or other drug use.
 - a. If the written report of the medical examination is not submitted to the appropriate persons within 24 hours, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.
 - b. If the written report of the medical examination indicates the student was not under the influence of alcohol or other drugs, the student shall be immediately returned to school.
 - c. If the results of the medical examination indicate that the student was under the influence of alcoholic beverages or other drugs which interfered with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent as soon as possible.
 - 1) Attendance at school shall not resume until a written report from the licensed physician who examined the student has been submitted to the parent and the ES which verifies that the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.
 - 2) Removal of a student with a disability shall be implemented in accordance with N.J.A.C. 6A:14 and OOE Policy #33.
- 8. While the student who receives a positive determination of alcohol or other drug use from the medical examination is at home or after the student returns to school, an individual who holds the Educational Services Certificate with the substance awareness coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds either a school nurse, school

nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained to assess alcohol and other drug abuse shall:

- a. Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse as may be appropriate and necessary for the purpose of making a preliminary determination of the student's need for educational programs, supportive services or treatment which extend beyond the general school program by virtue of the use of alcohol or other drugs by the student; and
 - b. Cooperate with community agencies licensed by the New Jersey Department of Human Services (NJ DHS), Division of Addiction Services, out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services or private practitioners certified by the appropriate drug and alcohol licensing board, as well as juvenile justice officials, in providing evaluation, referral and continuity of care for alcohol or other drug abuse treatment.
 - c. The findings of the assessment alone shall not be used to prevent a student from attending school.
9. The ES may recommend or require an additional alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services which extend beyond the general school program, as necessary.
 - a. The findings of the additional evaluation alone shall not be used to prevent a student from attending school.
10. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the substance awareness coordinator endorsement; an individual who holds either a school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained in alcohol and other drug abuse treatment referral shall initiate a referral to an organization or agency approved by the NJ DHS which offers competent, professional alcohol or other drug abuse treatment. The student's treatment shall not be provided at the expense of the DCF OOE.

G. PROCEDURES: RESIDENTIAL STUDENTS SUSPECTED TO BE UNDER THE INFLUENCE OF ALCOHOL AND OTHER DRUGS (Other Than Anabolic Steroids)

1. The ES of each education program providing services to students living in residential facilities shall request the appropriate administrator at each residential facility to identify the professional residential facility staff person who shall be contacted to make the decision regarding the school independently communicating with the parents concerning suspected student alcohol and drug abuse.
2. Any educational staff person or other professional who suspects a student living in a residential facility and attending a DCF or DHS education program of being under the influence of alcohol, drugs other than anabolic steroids, or chemicals as identified in B. 4. above shall immediately report the matter to the ES or his/her designee and the school's nurse, as feasible.
3. The ES or designee shall require the staff person who is reporting the suspected student substance abuse to complete a Substance Abuse Report Form (Attachment 2).
4. The ES or designee shall arrange for an immediate medical examination of the student for the purposes of providing appropriate health care for the student and determining whether the student is under the influence of alcohol or other drugs.
5. The ES or designee shall immediately notify the identified professional residential facility staff person to inform him/her that a student living in the facility is suspected of being under the influence of alcohol or other drugs.
 - a. The ES or designee shall ask the identified professional residential facility staff person to make a determination about whether or not it is appropriate for the ES or designee to directly telephone the parent or guardian in order for the parent or guardian to:
 - 1) select a physician licensed to practice medicine or osteopathy;
 - 2) schedule an immediate medical examination of the student with that physician;
 - 3) pick the student up at the residential facility; and
 - 4) take the student off-site to the physician's office.
 - b. The ES or designee shall fax or hand-deliver the "Approval for Education Program to Contact Parent/Guardian regarding Medical Examination" form (Attachment 6) to the identified professional residential facility staff person who shall immediately complete and return the document to the ES or designee.

6. The ES or designee shall make arrangements for the student to be returned to the residential facility and shall provide for the appropriate supervision of the student while waiting for the student to be transported to his/her residence.
7. If the identified professional residential facility staff person determines that it is appropriate for the ES or designee to independently call the parent or guardian regarding the arrangements for the medical examination and for the student to be taken by the parent or guardian to a physician he/she selects, the ES or designee shall immediately notify the parent or guardian.
 - a. The parent or guardian shall be informed that he/she has the option to:
 - 1) Select a physician licensed to practice medicine or osteopathy and arrange for the immediate medical examination of the student; or
 - 2) Allow the residential facility to arrange for the medical examination in order to provide the appropriate health care for the student and to determine whether the student is under the influence of alcohol or other drugs.
 - b. If the parent or guardian chooses to select a physician and arrange for the medical examination, the ES or designee shall instruct the parent or guardian to pick the student up at the residence.
 - c. The ES or designee shall provide the residence with the Medical Examination Report form so that they can give the form to the student's parent or guardian.
 - 1) The Medical Examination report establishes the minimum requirements for the medical examination and functions as a report form for the physician conducting the examination.
 - 2) The Medical Examination Report shall be completed and signed by the examining physician and shall be returned to the ES or designee at the school.
 - 3) If not done by the physician, the parent/guardian and the identified residential facility staff person shall also be provided with a copy of the completed form.
 - d. When the medical examination is conducted by a physician selected by the parent or guardian, the examination shall be at the expense of the parent or guardian, and the parent shall accompany the student to the physician's office.
 - e. The ES or designee shall request verification from the parent that a medical examination was performed within 24 hours of the referral of the student for suspected drug or alcohol use.
 - 1) If the physician completes and signs the OOE's Medical Examination Report within the 24 hour period, that Report can serve as the required verification.

- 2) If not, the parent will need to provide verification which includes, at a minimum, the printed name, signature, address and phone number of the examining physician and a statement indicating that the mandatory written report is pending and the date by which the report will be provided.
8. If any of the following situations occur, the ES or designee shall immediately inform the appropriate residential facility staff that the student must return to the residential facility to undergo an immediate medical examination in order to provide health care for the student and to determine whether the student is under the influence of alcohol or other drugs.
 - a. The authorized residential facility staff person determines that it is **not** appropriate for the ES or designee to call the parent or guardian regarding the arrangements for the medical examination and for the student to be taken to a physician selected by the parent or guardian; or
 - b. the parent or guardian opts for allowing the residential facility to arrange for the medical examination; or
 - c. the physician chosen by the parent is not immediately available; or
 - d. the ES or designee is unable to contact the authorized residential facility staff person or a designee; or
 - e. the ES or designee's attempts to telephone the parent or guardian were unsuccessful.
9. When the residential facility assumes responsibility for the medical examination of the student:
 - a. The ES or designee shall provide the residence with the Medical Examination Report form.
 - 1) The Medical Examination Report shall be completed and signed by the examining medical personnel and shall be returned to the ES or designee at the school.
 - 2) The appropriate residential facility staff shall determine if the parent/guardian is provided with a copy of the completed Medical Examination Report.
 - b. The medical examination shall be conducted by a physician licensed to practice medicine or osteopathy and/or in adherence with the DCF or DHS residential facility's published regulations and policies.
 - c. The residential facility staff shall be responsible for contacting the student's parent or guardian, as they deem appropriate.

10. A written report of the medical examination shall be furnished to the ES; the parent or guardian, as appropriate; and the designated residential facility staff person by the examining medical personnel within 24 hours of the referral of the student for suspected alcohol or other drug use.
 - a. If the written report of the medical examination is not submitted to the appropriate persons within 24 hours, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining medical personnel.
 - b. If the written report of the medical examination indicates the student was not under the influence of alcohol or other drugs, the student shall be immediately returned to school.
 - c. If the results of the medical examination indicate that the student was under the influence of alcoholic beverages or other drugs which interfered with his or her physical or mental ability to perform in school, the student shall be returned to the care of the residential facility staff as soon as possible.
 - 1) Attendance at school shall not resume until a written report, from the medical personnel who examined the student which verifies that the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school, has been submitted to the ES; the parent or guardian, as appropriate; and the designated residential facility staff person. The residential facility's treatment professionals shall also approve the student's return to school.
 - 2) Removal of a student with a disability shall be implemented in accordance with N.J.A.C. 6A:14 and OOE Policy #33.
11. While the student who receives a positive determination of alcohol or other drug use from the medical examination is at the residential facility or after the student returns to school:
 - a. An individual who holds the Educational Services Certificate with the substance awareness coordinator endorsement; an individual who holds a school nurse, school psychologist, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained to assess alcohol and other drug abuse; or another professional who is appropriately certified or licensed to assess alcohol and other drug abuse shall:
 - 1) Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse as may be appropriate and necessary, for the purpose of making a preliminary determination, in conjunction with the residential facility's treatment professionals, of the

- student's need for educational programs, supportive services or treatment which extend beyond the general school program by virtue of the use of alcohol or other drugs by the student; and
- 2) Cooperate with community agencies licensed by the New Jersey Department of Human Services (NJDHS), Division of Addiction Services, out-of-State agencies licensed by the appropriate state regulatory agency for alcohol and other drug services or private practitioners certified by the appropriate drug and alcohol licensing board.
- b. The ES and/or the appropriate residential facility staff may recommend or require an additional alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services which extend beyond the general school program, as necessary.
 - c. The findings of these evaluations alone shall not be used to prevent a student from attending school.
12. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the substance awareness coordinator endorsement; an individual who holds a school nurse, school psychologist, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained in alcohol and other drug abuse treatment referral; or another professional who is appropriately certified or licensed to assess alcohol and other drug abuse and refer for treatment shall initiate a referral, in collaboration with the residential facility's treatment professionals, to an organization or agency approved by the NJDHS which offers competent, professional alcohol or other drug abuse treatment. The student's treatment shall not be provided at the expense of the DCF OOE.

H. PROCEDURES: RESIDENTIAL AND DAY STUDENTS SUSPECTED USE OF ANABOLIC STEROIDS

1. Any educational staff person or other professional who suspects a residential or day student has used or may be using anabolic steroids shall immediately report the matter to the ES or his/her designee and the school's nurse, as feasible.

2. The ES or designee shall require the staff person who is reporting the suspected anabolic steroid use to complete a Substance Abuse Report Form (Attachment 2).
3. The ES or designee shall immediately notify the appropriate persons for a day student in accordance with Section F above and for a residential student in accordance with Section G above.
4. The process of determining whether the student has been using anabolic steroids shall proceed according to the following steps:
 - a. Day students: the ES or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy as soon as possible in accordance with F. 4. and F. 5. above.
 - b. Residential students: the ES or designee shall arrange for a medical examination of the student as soon as possible in accordance with G. 5., G. 7. and G. 8. above.
5. The student shall not be taken to an emergency room for a medical examination unless the student's behavior/ symptoms indicate an emergent crisis or life-threatening situation.
6. A written report of the examination shall be provided by the medical personnel who examined the student to the ES; the parent or guardian, as appropriate; and the designated residential staff person, as applicable.
 - a. If it is determined that the student has used anabolic steroids, an individual who holds the Educational Services Certificate with the substance awareness coordinator endorsement; an individual who holds either a school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained to assess alcohol and other drug abuse; or, in the case of a residential student, another professional who is appropriately certified or licensed to assess alcohol and other drug abuse shall interview the student, and others, as necessary, and may also interview the student's teachers, parents and consult with physicians and such experts in the field of student alcohol and other drug abuse as may be appropriate for the purpose of determining the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment.
 - b. If the results of the referral for evaluation have positively determined that the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the substance awareness coordinator

endorsement; an individual who holds either a school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services endorsement on the Educational Services Certificate and is trained to assess alcohol and other drug abuse; or, in the case of a residential student, another professional who is appropriately certified or licensed to assess alcohol and other drug abuse shall initiate a referral for treatment, in collaboration with the residential facility's treatment professionals, to appropriate community agencies licensed by the N.J. Department of Human Services, Division of Addiction Services, to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services or to private practitioners certified by the appropriate drug and alcohol licensing board. The student's treatment shall not be provided at the expense of the DCF OOE.

I. TRAINING AND EDUCATION

1. The OOE shall establish and provide staff training programs which address the prevention of and intervention for student use of alcohol, tobacco and other drugs as well as awareness of new and emerging trends in substance abuse.
 - a. In-service trainings shall be provided to those DCF and DHS education programs with students who may potentially abuse alcohol, tobacco and other drugs.
 - b. At each applicable program, educational staff who regularly interact with students who may potentially abuse alcohol, tobacco and other drugs shall be provided in-service trainings which include the procedures in this policy.
 - c. The initial training provided to existing and new staff shall be based on recognized research, be comprehensive in nature, and minimally include information on the following:
 - 1) the scope of the problem;
 - 2) the nature of addiction;
 - 3) signs and symptoms of substance abuse;
 - 4) the impact on the family;
 - 5) intervention strategies; and
 - 6) resources.
 - d. Annually, the OOE shall provide an updated training that includes relevant and emerging information on substance abuse to the educational staff at the applicable programs.
 - e. The appropriate OOE Unit shall periodically furnish pertinent and/or new information to the applicable programs.

- f. All trainings shall be documented.
- 2. Students who may potentially abuse alcohol, tobacco and other drugs shall be provided instruction on the reduction and elimination of substance abuse.
 - a. Student instruction may be addressed through the Health/Physical Education and Safety curriculum or through other specially designed courses.
 - b. The curriculum and materials shall be updated, as needed, based on new and emerging information.

J. CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

- 1. All information concerning a student's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of N.J.S.A. 18A:40 [Attachment A-7](#).1 and 7.2.
- 2. The information presented in this policy shall not be construed in any way to authorize or require the transmittal of any information or records which are in the possession of a substance abuse counseling or treatment program.
- 3. The ES or designee shall not disclose to law enforcement officials or to any person other than a member of the substance abuse program that a student has received or is receiving services through a school-based alcohol and other drug abuse program.
- 4. The ES or designee shall not disclose any information, including the student's identity or information about illegal activity, where such information was learned in the course of or as a result of services provided through a school-based alcohol and other drug abuse program.
- 5. Information about illegal activity which was learned by any school employee outside of the school-based alcohol and other drug abuse program may be disclosed.
- 6. If an elementary or secondary school student who is participating in a school-based drug and alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or guardian or other person residing in the student's household is dependent upon or illegally using a substance, that information shall be kept confidential and may be disclosed only under the following circumstances:

- a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary school student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary school student;
 - b. Pursuant to a court order; and
 - c. To the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary school student or another child may be an abused or neglected child.
7. Any disclosure made pursuant to sub-section I. 6. shall be limited to that information which is necessary to execute the purpose of the disclosure, and the person or entity to which the information is disclosed shall be prohibited from making any further disclosure of that information without the student's written consent.
- a. The disclosure shall be accompanied by a written statement advising the recipient that the information is being disclosed from confidential records and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Debra Stewart
Director

Attachments

- [Attachment A-1](#): Administrative Action Form
- [Attachment A-2](#): Substance Abuse Report Form
- [Attachment A-3](#): N.J.S.A. 9:6-3, 18A:38-25, and 18A:38-31
- [Attachment A-4](#): Points of Discussion with a Medical Facility
- [Attachment A-5](#): Medical Examination Report